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Attorney Docket No: 40129/07301 (1403)

REMARKS

I.   **INTRODUCTION**

            Claims 1-24 are pending in the present application. In view of the following
remarks, it is respectfully submitted that all of the presently pending claims are allowable.

II.   **THE 35 U.S.C. § 103(a) REJECTIONS SHOULD BE WITHDRAWN**

            Claims 1-24 stand rejected under 35 U.S.C. §103(a) as unpatentable over U.S.
Patent No. 6,394,354 to Wilz, Sr. et al. ("Wilz") in view of U.S. Patent No. 7,062,474 to Reiter
("Reiter") and U.S. Pat. App. No. 2005/0197892 to Bilibin et al. ("Bilibin"). (*See 9/6/06 Office
Action*, p. 2).

            Wilz discloses an Internet-based system and method for routing, tracking, and
delivering packages. (*See Wilz*, Abstract). Packages are provided with bar codes containing
URLs and zip code information, which may be scanned by a bar code reader to effect routing
and tracking of the packages. (*Id.*). Specifically, each package is logged into a database
management system and located on a server by a package login procedure. (*Id.* at col. 26, lines
16 - 20). In this procedure, the server is accessed by reading a predesignated URL-encoded bar
code symbol specifying the address of the server on the Internet, package related information is
entered via the internet, a custom bar code symbol label encoded with a corresponding URL is
created and printed, and the label is applied to the package. (*Id.* at col. 26, lines 16 - 31). The
database management system may contain a number of fields pertaining to the package,
including a package identification number (PIN), a shipper identification number, destination
information, delivery instructions, etc. (*Id.* at col. 26, line 54 - col. 27, line 22). As each
package is transported, its bar code is scanned at package routing subsystems through which it
moves, and location information of the package is updated with each scan. (*Id.* at col. 29, lines
27 - 51). Package related information may be viewed by reading the corresponding URL-
encoded bar code symbols into an Internet browser program using a bar code scanner. (*Id.* at
col. 24, lines 13 - 17).

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Reiter describes a computer system for providing commercial advertisements, messages, coupons and other types of information on letters, parcels, and other written communications to a receiver of the letter. (*See Reiter*, Abstract). If a letter is ready for delivery sorting, an optical character recognition (OCR) device reads the address information and converts it to a bar code that is printed or applied to the letter. The letter is then forwarded to a bar code sorter for further sorting. (*Id.* at col. 5, lines 13 - 29). The bar code information is compared with demographic or other data in a database and if a match is found, one or more targeted pieces of information are printed on, applied or attached to the letter. (*Id.* at col. 5, lines 43 - 59).

Bilibin describes a system for determining origin and destination rating zone identifiers corresponding to parcel carriers using an origin postal code and a destination postal code as input. (*See Bilibin*, ¶ [0009]). In the system, package tracking is performed using one of a carrier tracking number and a system tracking number, which are unique numbers assigned by a carrier and generated internally by the system, respectively. (*Id.* at ¶¶ [0412] - [0414]).

Claim 1 of the present invention recites a method for providing a user with a personalized shipment system which includes the steps of "recording in the computer database tracking data based on the machine language unique label identifier and the machine language data, the tracking data including *information regarding a shipping status of the item*" and "providing the tracking data in response to a request, *wherein the tracking data is provided using only the user identifier and the destination data* included in the request."

The Examiner correctly states that Wilz fails to disclose or suggest providing tracking data by "using only the user identifier and the destination data included in the request," but cites Bilibin to cure this deficiency. (*See 2/23/07 Office Action*, p. 4). The Examiner maintains that Bilibin discloses "providing the tracking data in response to a request, wherein the tracking data is provided using only the user identifier and the destination data included in the request," as recited in claim 1. (*See 2/23/07 Office Action*, pp. 9 - 10). In support of this assertion, the Examiner cites Figures 76 - 82 of Bilibin, which show a Internet-based tracking system that utilizes a web browser to display a web page from which a user can track packages.

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The Examiner asserts that the web page allows the user to log in using only a User ID, that a registered user is allowed to track packages using a shipping log and a Track It page, all of which is, according to the Examiner, based on the user having identified himself by logging in. In contrast to this assertion, the Applicant notes that Bilibin specifically requires the user to log in using both a User ID and a password. (*See Bilibin*, ¶ [0148]; Fig. 9). Without either the User ID or the password, the user cannot access the web page to track packages. Thus, tracking information cannot possibly be provided "using only the user identifier and the destination data," as recited in claim 1.

In addition, the providing of the tracking information according to Bilibin is a function of a tracking number. Although users that have logged in are able to view outbound packages via the shipping log page, the database records used to generate the page are still based on the system tracking number. Bilibin states that when a buyer purchases a product, the system enters the system tracking number for the seller. (*See Bilibin*, ¶ [0369]). Therefore, the system relies on the system tracking number to locate the tracking information before the information can be display to the user via the shipping log page. From the user's perspective the display of the tracking information may appear automatic upon user selection of the shipping log page, but each time the user navigates to the page, the system is actually retrieving the tracking information based on the system tracking number. Thus, the system does not provide tracking data based on destination data.

Based on the reasons discussed above, it is respectfully submitted that Bilibin neither discloses nor suggests "providing the tracking data in response to a request, wherein the tracking data is provided using only the user identifier and the destination data included in the request," as recited in claim 1. It is also respectfully submitted that Reiter also fails to cure the deficiencies of Wilz and Bilibin. Reiter also relies on the use of conventional tracking numbers. Specifically, Reiter describes the use of a server-assigned tracking number and corresponding shipping label. (*See Reiter*, col. 10, lines 40 - 51). No other methods for obtaining status information are described or suggested by Reiter.

Therefore, it is respectfully submitted that neither Wilz, nor Reiter nor Bilibin,

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either alone or in combination, disclose or suggest "the tracking data including information regarding a shipping status of the item" and "providing the tracking data in response to a request, wherein the tracking data is provided using only the user identifier and the destination data included in the request," as recited in claim 1. Because claims 2 - 12 depend from, and, therefore include all the limitations of claim 1, it is respectfully submitted that these claims are also allowable.

Claim 13 recites "a second shipment processing arrangement obtaining the machine language unique label identifier and the machine language destination data from the item during the shipment, the second shipment processing arrangement recording in the database tracking data based on the association of the label identifier and the destination data, *the tracking data including information regarding a shipping status of the item*" and "wherein the tracking data is provided by the second computing arrangement in response to a request, *wherein the tracking data is provided using only the user identifier and the destination data included in the request.*" Thus, for at least the reasons discussed above with respect to claim 1, it is respectfully submitted that the rejection of claim 13 should be withdrawn. Because claims 14 - 24 depend from, and, therefore include all the limitations of claim 13, it is respectfully submitted that these claims are also allowable.
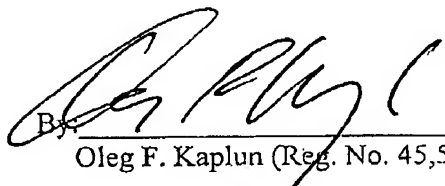
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CONCLUSION

In light of the foregoing, the Applicant respectfully submits that all of the pending claims are in condition for allowance. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

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